

HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

vs.

MOTOROLA, INC., and MOTOROLA
MOBILITY, INC.,

Defendants

Case No. 10-1823

DECLARATION OF SHANE P.
CRAMER IN SUPPORT OF
MICROSOFT'S OPPOSITION TO
MOTOROLA AND MOTOROLA
MOBILITY'S MOTION TO DISMISS

Noted: Friday, January 7, 2011

I, Shane P. Cramer, hereby declare as follows:

1. I am an attorney at the law firm of Danielson Harrigan Leyh & Tollefson LLP,
and have personal knowledge of the facts stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of Francois Leveque and
Yann Ménière, *Vagueness in RAND Licensing Obligations is Unreasonable for Patent
Owners*, CERNA Working paper (2009) (available as of January 3, 2011 at
<http://ssrn.com/abstract=1030520>).

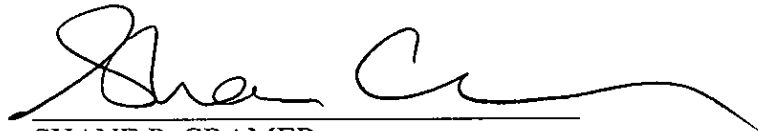
DECLARATION OF SHANE P. CRAMER IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
MOTOROLA AND MOTOROLA MOBILITY'S
MOTION TO DISMISS - 1

LAW OFFICES
DANIELSON HARRIGAN LEYH & TOLLEFSON LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL. (206) 623-1700 FAX, (206) 623-8717

1 3. Attached hereto as Exhibit 2 is a true and correct copy of Daniel Swanson and
2 William Baumol, *Reasonable and Nondiscriminatory (RAND) Royalties, Standards Selection,*
3 *And Control of Market Power*, 73 Antitrust L.J. 1, 21 (2005).

4 I declare under penalty of perjury under the laws of the State of Washington that the
5 foregoing is true and correct.

6 DATED this 3rd day of January, 2011, at Seattle, Washington.

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9 SHANE P. CRAMER

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DECLARATION OF SHANE P. CRAMER IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
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MOTION TO DISMISS - 2

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CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Philip S. McCune and Lynn M. Engel at Summit Law Group, PLLC.



Linda Bledsoe